

# **EXHIBIT 3**

MORGAN, LEWIS & BOCKIUS LLP  
KENT M. ROGER, State Bar No. 095987  
DIANE L. WEBB, State Bar No. 197851  
MICHELLE PARK CHIU, State Bar No. 248421  
One Market, Spear Street Tower  
San Francisco, CA 94105-1126  
Tel: 415.442.1000  
Fax: 415.442.1001  
E-mail: kroger@morganlewis.com  
dwebb@morganlewis.com  
mchiu@morganlewis.com

Attorneys for Defendant  
HITACHI, LTD.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Case No. C07-5944 SC

**MDL NO. 1917**

Judge: Hon. Samuel Conti

Special Master: Hon. Charles A. Legge (Ret.)

This Document Relates To:  
  
DIRECT PURCHASER ACTION

**DEFENDANT HITACHI, LTD.'S  
RESPONSES TO DIRECT  
PURCHASER PLAINTIFFS' FIRST  
SET OF INTERROGATORIES**

PROPOUNDING PARTY: DIRECT PURCHASER PLAINTIFFS

RESPONDING PARTY: HITACHI, LTD.

SET NUMBER: ONE (Nos. 1-16)

Pursuant to Federal Rule of Civil Procedure 33, defendant Hitachi, Ltd. ("Responding Party") hereby timely objects and responds ("Responses") to Direct Purchaser Plaintiffs' ("Plaintiffs" or "Requesting Party") First Set of Interrogatories to Defendants, served on March 12, 2010 ("Interrogatories"), as follows:

**GENERAL OBJECTIONS**

1  
2 1. Responding Party's responses are based upon information and writings available  
3 to and located by Responding Party as of the date of service of these Responses. Responding  
4 Party has not completed its investigation of the facts relating to the Interrogatories, and all of the  
5 information supplied and documents and things produced are based only on such information and  
6 documents that are reasonably available and specifically known to Responding Party as of the  
7 date of service of its response.

8 2. No express, incidental or implied admissions are intended by these Responses.  
9 The fact that Responding Party agrees to provide information in response to a particular  
10 interrogatory is not intended and shall not be construed as an admission that Responding Party  
11 accepts or admits the existence of any such information set forth in or assumed by such  
12 interrogatory, or that any such information and/or document constitutes admissible evidence. The  
13 fact that Responding Party agrees to provide information in response to a particular interrogatory  
14 is not intended and shall not be construed as a waiver by Responding Party of any part of any  
15 objection to such interrogatory or any part of any general objection made herein.

16 3. Responding Party reserves the right to change, amend, or supplement its objections  
17 at a later date. If Plaintiffs assert an interpretation of any aspect of the Interrogatories that is  
18 different from that made by Responding Party, Responding Party reserves the right to supplement  
19 its objections if such interpretations made by Plaintiffs are held to be applicable.

20 4. Responding Party objects to the Interrogatories to the extent they are vague,  
21 ambiguous, or contain terms that are insufficiently defined.

22 5. Responding Party objects to the Interrogatories as overly broad, unduly  
23 burdensome, oppressive and beyond the proper scope of discovery.

24 6. Responding Party objects to the Interrogatories to the extent they seek information  
25 and/or documents on matters not relevant to the subject matter of this action, not admissible in  
26 evidence, and not reasonably calculated to lead to the discovery of admissible evidence.  
27

7. Responding Party objects to the Interrogatories to the extent they seek to impose on it discovery obligations inconsistent with, or not authorized under, the Federal Rules of Civil Procedure or the Federal Rules of Evidence.

8. Responding Party objects to the Interrogatories to the extent they seek to impose on it discovery obligations inconsistent with, or not authorized under, the Local Rules of the United States District Court in and for the Northern District of California (the "Local Rules").

9. Responding Party objects to the Interrogatories to the extent they seek to impose on it discovery obligations exceeding the scope of the Stipulation and Order to Extend Limited Discovery Stay that the Court entered on January 5, 2010 (the "Stay Order").

10. Responding Party objects to the Interrogatories to the extent they seek information and/or documents that are beyond the scope of the Sherman Antitrust Act, 15 U.S.C. § 1.

11. Responding Party objects to the Interrogatories to the extent they fail to describe the information and/or documents sought with a reasonable degree of specificity.

12. Responding Party shall attempt to construe the terms and phrases used by Plaintiffs in a way to give those terms and phrases a meaning which will result in the production of relevant information designed to lead to the discovery of admissible evidence.

13. Responding Party objects to the Interrogatories to the extent they seek the discovery of information and/or documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce. Such sales are beyond the scope of this litigation and thereby render the Interrogatories overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

14. Responding Party objects to the Interrogatories to the extent they seek information the disclosure of which is prohibited by a law, regulation, or order of a court or other authority of a foreign jurisdiction in which the information is located.

15. Responding Party objects to the Interrogatories to the extent they seek information that is no longer active or readily accessible on Responding Party's database but might exist in electronic archives or back-up files. Responding Party will not rebuild these electronic archives and back-up files in order to search for information that may be responsive to the Interrogatories.

1 Based on the dates of the information sought, a portion of Responding Party's potential  
2 responsive information will likely not be on active databases.

3 16. Responding Party objects to the Interrogatories to the extent they seek to impose  
4 on Responding Party an obligation to investigate or discover information or materials from third  
5 parties or sources who or that are equally accessible to Plaintiffs.

6 17. Responding Party objects to the Interrogatories to the extent they contain  
7 duplicative requests, in whole or in part. To the extent responsive information has previously  
8 been produced, it will not be produced again.

9 18. Responding Party objects to the Interrogatories to the extent that they purport to  
10 call for Responding Party to engage in an investigation or to obtain information and/or documents  
11 not in its personal possession, custody or control. In addition, Responding Party objects to the  
12 extent the Interrogatories require Responding Party to respond and/or produce information and/or  
13 documents on behalf of any person or entity other than itself.

14 19. Responding Party objects to the Interrogatories to the extent that they seek  
15 documents that are in the public record or which are equally accessible to the Plaintiffs as to  
16 Responding Party.

17 20. Responding Party objects to the Interrogatories to the extent that they attempt  
18 and/or purport to call for production of any information and/or documents that are privileged,  
19 including, but not limited to, information, documents and materials that were prepared in  
20 anticipation of litigation, ADR, or for trial, that reveal communications between Responding  
21 Party and its legal counsel, and/or that otherwise constitute attorney-work product, joint defense  
22 or common interest privilege, or by any other applicable doctrine or privilege, or that are  
23 otherwise privileged or immune from discovery. Inadvertent testimony, production, or disclosure  
24 of any such information and/or document is not intended to and shall not constitute a waiver of  
25 any privilege or any other ground for objecting to discovery with respect to such testimony,  
26 information, and/or document, or with respect to the subject matter thereof. Nor shall such  
27 inadvertent production or disclosure waive Responding Party's right to object to the use of any  
28 such testimony, information, and/or document during this action or in any other or subsequent

1 proceeding. Hence, Responding Party objects to each interrogatory to the extent each seeks  
 2 testimony, information, and/or documents that are protected by the attorney-client privilege  
 3 and/or the attorney work product doctrine.

4 21. No response herein should be deemed or construed as a representation that  
 5 Responding Party agrees with or acquiesces in the characterization of any fact, assumption or  
 6 conclusion of law contained in or implied by the Interrogatories.

7 22. Responding Party objects to the Interrogatories to the extent they seek information  
 8 and/or documents that would disclose proprietary information, trade secrets or other confidential  
 9 research, development, or other confidential information, protected by the Uniform Trade Secrets  
 10 Act, among others, any and all rights of privacy under the United States Constitution or Article I  
 11 of the Constitution of the State of California, or any other applicable law or state constitution, or  
 12 that is otherwise prohibited from disclosure because to do so would cause Responding Party to  
 13 violate legal and/or contractual obligations to any other persons or entities. Where applicable,  
 14 Responding Party's Responses to the Interrogatories are subject to the provisions of the Stipulated  
 15 Protective Order that the Court entered on June 18, 2008 (the "Protective Order"). Responding  
 16 Party's Responses are hereby designated "Confidential" in accordance with the provisions of the  
 17 Protective Order.

18 23. By representing that it will or will not produce information and/or documents,  
 19 Responding Party does not represent that such information and/or documents exist.

20 24. Responding Party objects to the Interrogatories to the extent they are compound  
 21 and/or contain discrete subparts in violation of Federal Rule of Civil Procedure 33(a)(1).

22 25. Subject to and without waving any of the foregoing objections, each of which is  
 23 expressly incorporated into each individual response below as if fully stated therein, Responding  
 24 Party expressly reserves the following rights:

25 a. Any and all testimony and information provided and/or documents  
 26 produced by Responding Party in response to the Interrogatories are and will remain subject to all  
 27 objections as to relevance, materiality, propriety, and admissibility, as well as to any and all other  
 28 objections on any grounds that would require the exclusion of the testimony, information, and/or

document or any portion thereof if such testimony, information, and/or document was offered in evidence, all of which objections and grounds are hereby expressly reserved and may be interposed at the time of any written discovery, deposition, or at or before any hearing, arbitration or trial in this matter;

b. The right to object on any ground whatsoever at any time to any demand for further responses to the Interrogatories or any other discovery procedures involving or relating to the subject matter of the Interrogatories; and

c. The right to supplement the information produced, or otherwise to supplement, revise or explain the information contained therein in light of information gathered through further investigation and discovery.

### **OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS**

#### **DEFINITION NO. 1:**

The term "Defendant" means defendants named in the Direct Purchaser Plaintiffs' Consolidated Amended Complaint and their present or former employees, officers, directors, agents, predecessors, successors, parents, subsidiaries, affiliates, joint ventures, or any other person acting on their behalf.

#### **OBJECTION TO DEFINITION NO. 1:**

Responding Party objects to the defined term "Defendant" on the grounds that, as defined, it is vague and ambiguous and renders any interrogatory into which it is incorporated not reasonably particular, in violation of Federal Rule of Civil Procedure 34(b)(1)(A), overly broad and unduly burdensome, as it includes entities and/or persons not controlled by Responding Party and not relevant to the subject matter involved in this action, and, in addition, improperly purports to seek information from distinct corporate entities and/or persons not parties to this action and not controlled by Responding Party.

Responding Party further objects to the term "Defendant" on the grounds that the incorporation of any or all of the terms "agents," "predecessors," "successors," "parents," "subsidiaries," "affiliates," "joint ventures," and "present or former employees, officers, directors, agents, predecessors, successors, parents, subsidiaries, affiliates, joint ventures, or any other



1 person acting on their behalf” into the definition renders each interrogatory incorporating the  
 2 defined term overly broad and unduly burdensome, as it calls for information not relevant to the  
 3 claim or defense of any party, not relevant to the subject matter involved in this action, and is not  
 4 reasonably calculated to lead to the discovery of admissible evidence and, in addition, improperly  
 5 purports to seek information from distinct corporate entities and/or persons not parties to this  
 6 action and not controlled by Responding Party.

7 Responding Party objects to this definition to the extent it seeks information protected by  
 8 the attorney-client privilege or work product doctrine.

9 Responding Party will respond on behalf of Hitachi, Ltd. only.

10 **DEFINITION NO. 2:**

11 The term “Person” or “Persons” is defined to mean any natural person, corporation, or  
 12 partnership, proprietorship, joint venture, or any business, legal, or government entity,  
 13 organization, or association.

14 **OBJECTION TO DEFINITION NO. 2:**

15 Responding Party objects to the defined terms “Person,” and “Persons” on the grounds  
 16 that, as defined, they are vague and ambiguous and render any interrogatory into which they are  
 17 incorporated not reasonably particular, in violation of Federal Rule of Civil Procedure  
 18 34(b)(1)(A), overly broad and unduly burdensome, as they include entities and/or persons not  
 19 controlled by Responding Party and not relevant to the subject matter involved in this action, and,  
 20 in addition, improperly purport to seek information from distinct corporate entities and/or persons  
 21 not parties to this action and not controlled by Responding Party.

22 Responding Party further objects to the terms “Person,” and “Persons” on the grounds that  
 23 the incorporation of any or all of the terms “natural person,” “corporation,” “partnership,”  
 24 “proprietorship,” “joint venture,” “business, legal, or government entity,” “organization,” or  
 25 “association” into the definition renders each interrogatory incorporating the defined term overly  
 26 broad and unduly burdensome, as it calls for information not relevant to the claim or defense of  
 27 any party, not relevant to the subject matter involved in this action, and is not reasonably  
 28 calculated to lead to the discovery of admissible evidence and, in addition, improperly purports to



1 seek information from distinct corporate entities and/or persons not parties to the case and not  
2 controlled by Responding Party.

3 Responding Party will respond on behalf of Hitachi, Ltd. only.

4 **DEFINITION NO. 3:**

5 The terms "You," "Your," and "Yourself" means defendant as defined herein.

6 **OBJECTION TO DEFINITION NO. 3:**

7 Responding Party objects to the defined terms, "You," "Your," and "Yourself" on the  
8 grounds that, as defined, they are vague and ambiguous and render any interrogatory into which  
9 any of the terms are incorporated not reasonably particular, in violation of Federal Rule of Civil  
10 Procedure 34(b)(1)(A), are overly broad and unduly burdensome, as they include persons not  
11 controlled by Responding Party and not relevant to the subject matter involved in this action, and,  
12 in addition, improperly purport to seek information from distinct corporate entities and/or persons  
13 not parties to this action and not controlled by Responding Party.

14 Responding Party further objects to the terms, "You," "Your," and "Yourself" on the  
15 grounds that the incorporation of the defined term "defendant" into the definitions renders each  
16 interrogatory incorporating any of the defined terms overly broad and unduly burdensome, as  
17 they call for information not relevant to the claim or defense of any party, not relevant to the  
18 subject matter involved in this action, are not reasonably calculated to lead to the discovery of  
19 admissible evidence and, in addition, improperly purport to seek information from distinct  
20 corporate entities and/or persons not parties to this action and not controlled by Responding Party.

21 Responding Party objects to this definition to the extent it seeks information protected by  
22 the attorney-client privilege or work product doctrine.

23 Responding Party will respond on behalf of Hitachi, Ltd. only.

24 **DEFINITION NO. 4:**

25 The term "Document" includes all documents and electronically stored information as  
26 defined in Federal Rule of Civil Procedure 34(a). A draft or non-identical copy is a separate  
27 document within the meaning of this term.

**OBJECTION TO DEFINITION NO. 4:**

Responding Party objects to this definition to the extent that it seeks to expand the scope of Rule 34 of the Federal Rules of Civil Procedure.

Responding Party also objects to this definition as overly broad to the extent it seeks information and/or documents that are not relevant to the subject matter of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome to search for and produce.

**DEFINITION NO. 5:**

The term "Employee" means any individual currently in the employ of, or at any time employed by, or acting as the agent of a defendant as defined herein.

**OBJECTION TO DEFINITION NO. 5:**

Responding Party objects to this definition on the grounds that, as defined, it is vague and ambiguous and renders any interrogatory into which it is incorporated not reasonably particular, in violation of Federal Rule of Civil Procedure 34(b)(1)(A), is overly broad and unduly burdensome, as it includes entities and/or persons not controlled by Responding Party and not relevant to the subject matter involved in this action, and, in addition, improperly purports to seek information from distinct corporate entities and persons not parties to the case and not controlled by Responding Party.

Responding Party further objects to the term "employee" on the grounds that the incorporation of the defined term "defendant" into the definition renders each interrogatory incorporating the defined term "employee" overly broad and unduly burdensome, as it calls for information not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, is not reasonably calculated to lead to the discovery of admissible evidence and, in addition, improperly purports to seek information from distinct corporate entities and persons not parties to the case and not controlled by Responding Party.

Responding Party objects to the phrase "acting as the agent of a defendant as defined herein" on the grounds it calls for a legal conclusion and to the extent it seeks information beyond Responding Party's possession, custody, or control.

1 Responding Party objects to this definition to the extent it seeks information protected by  
2 the attorney-client privilege or work product doctrine.

3 Responding Party will respond on behalf of Hitachi, Ltd. only.

4 **DEFINITION NO. 6:**

5 The term "CRT" means cathode ray tube(s) and "CRT Products" means products  
6 containing cathode ray tubes.

7 **OBJECTION TO DEFINITION NO. 6:**

8 Responding Party objects to the defined term "CRT Products" on the grounds that as  
9 defined, it is vague and ambiguous.

10 Responding Party further objects to the defined term "CRT Products," as distinguished  
11 from "CRT," on the grounds that, to the extent the term is given a broad interpretation, any  
12 interrogatory incorporating this term is overbroad and unduly burdensome, and purports to call  
13 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
14 matter involved in this action, and is not reasonably calculated to lead to the discovery of  
15 admissible evidence. Moreover, any discovery as to "CRT Products" that is not reasonably  
16 related to Plaintiffs' claims with respect to an alleged conspiracy involving CRTs is premature  
17 and overly burdensome until such time as Plaintiffs establish a reasonable basis for their claims  
18 regarding "CRT Products" to justify the enormous burden that Plaintiffs seek to impose on  
19 Responding Party by pursuing discovery as to all such products.

20 To the extent Responding Party's Responses include information outside the defined term  
21 "CRT Product," such Responses shall not be deemed to waive this objection.

22 **DEFINITION NO. 7:**

23 Unless otherwise noted, the "Relevant Time Period" means the period from January 1,  
24 1995 through the present.

25 **OBJECTION TO DEFINITION NO. 7:**

26 Responding Party objects to the defined term, "Relevant Time Period," on the grounds  
27 that it is overbroad and seeks information beyond the putative class period, which begins on  
28 March 1, 1995 and ends on November 25, 2007 (Direct Purchasers' Consolidated Amended

Complaint ¶ 1), and beyond the statute of limitations. Judge Conti has directed the parties to Judge Legge to develop procedures for the early resolution of statute of limitations issues and to reduce the burden in connection therewith. Responding Party believes it is premature for it to have to respond to the Interrogatories from prior to the statute of limitations period until Judge Legge considers this issue and determines the proper scope of that burden. For purposes of responding to these Interrogatories, Responding Party will interpret "Relevant Time Period" to mean November 16, 2003 through November 25, 2007 (the "Limitations Period").

**DEFINITION NO. 8:**

The term "Communication" means without limitation, oral or written communications of any kind, such as electronic communications, e-mails, facsimiles, telephone communications, correspondence, exchange of written or recorded information, or face-to-face meetings. The phrase "communication between" is defined to include instances where one party addresses the other party but the other party does not necessarily respond.

**OBJECTION TO DEFINITION NO. 8:**

Responding Party objects to this definition to the extent it attempts to impose obligations on Responding Party and/or seeks information and/or documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

**DEFINITION NO. 9:**

The term "Date" means the exact day, month and year, if ascertainable, or the best available approximation, including any relationship to other known events (designate whether exact or approximate).

**OBJECTION TO DEFINITION NO. 9:**

Responding Party objects to this definition to the extent it attempts to impose obligations on Responding Party and/or seeks information and/or documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party objects to the phrase "including any relationship to other known events (designate whether exact or approximate)" on the grounds that it renders the Interrogatories vague, ambiguous, overbroad, unduly burdensome, and purports to call for information that is not

relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and is not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to the phrase “including any relationship to other known events (designate whether exact or approximate)” to the extent it renders any interrogatory compound.

**DEFINITION NO. 10:**

The term “Meeting” means, without limitation, any assembly, convocation, encounter, or contemporaneous presence of two or more persons for any purpose, whether planned or arranged, scheduled or not.

**OBJECTION TO DEFINITION NO. 10:**

Responding Party objects to this definition to the extent it attempts to impose obligations on Responding Party and/or seeks information and/or documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

**INSTRUCTION NO. 1:**

When asked to identify a natural person, state the person’s name, employer, position dates of employment/tenure, and home address for all times during the Relevant Time Period. If any of such information has changed during the relevant time period, specify the time period to which the information provided in your answer pertains.

**OBJECTION TO INSTRUCTION NO. 1:**

Responding Party objects to this Instruction to the extent that it purports to impose burdens or obligations broader than, inconsistent with, or not authorized under the Federal Rules of Civil Procedure, including, without limiting the generality of the foregoing, Rule 26(b)(5)(A) and Rule 26(e)(1).

Responding Party objects to this Instruction to the extent that it purports to impose burdens or obligations broader than, inconsistent with, or not authorized under, the Local Rules and/or the Stay Order.

Responding Party objects to this Instruction on the grounds that it is vague and ambiguous, and purports to require the production of documents and information protected by the attorney-client privilege, work product doctrine or other applicable privilege.

1 Responding Party objects to this Instruction on the grounds that it is overly broad and  
2 unduly burdensome and inconsistent with common usage.

3 Responding Party objects to this Instruction to the extent it seeks information that would  
4 disclose personal confidential information and/or violate any and all rights of privacy under the  
5 United States Constitution or Article I of the Constitution of the State of California, or any other  
6 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do  
7 so would cause Responding Party to violate legal and/or contractual obligations to any other  
8 persons or entities.

9 Responding Party objects to this Instruction to the extent it seeks home addresses.

10 **INSTRUCTION NO. 2:**

11 When asked to identify any entity other than a natural person, state the name and address  
12 of the principal office or headquarters. If any of the information has changed during the Relevant  
13 Time Period, specify the time period to which the information provided in your answer pertains.

14 **OBJECTION TO INSTRUCTION NO. 2:**

15 Responding Party objects to this Instruction to the extent that it purports to impose  
16 burdens or obligations broader than, inconsistent with, or not authorized under the Federal Rules  
17 of Civil Procedure, including, without limiting the generality of the foregoing, Rule 26(b)(5)(A)  
18 and Rule 26(e)(1).

19 Responding Party objects to this Instruction to the extent that it purports to impose  
20 burdens or obligations broader than, inconsistent with, or not authorized under, the Local Rules  
21 and/or the Stay Order.

22 Responding Party also objects to this Instruction on the grounds that it is overly broad and  
23 unduly burdensome and inconsistent with common usage.

24 **INSTRUCTION NO. 3:**

25 If the responding party elects to produce business records in response to an interrogatory  
26 pursuant to Federal Rule of Civil Procedure 33(d), the responding party shall produce the records  
27 as they are kept in the usual course of business or shall organize and label them to corresponding  
28 with the interrogatory. If the document is being produced in its native electronic format (allowing



the document to retain its metadata), identify the document using its hash or other appropriate electronic identification and identify to the interrogatories to which the document is responsive. If the document is not being produced in electronic form, identify the document using the applicable bates numbers or specifically identify the type of document being produced (e.g., letter, memorandum, telegram, contract, invoice, etc.), its date and author(s), its custodian, and every person to whom such document or any copy thereof was given or sent. For all documents produced pursuant to Rule 33(d), identify the name of the employee, officer, or agent certifying the documents as business records.

**OBJECTION TO INSTRUCTION NO. 3:**

Responding Party objects to this Instruction on the grounds that it is unduly burdensome and purports to impose burdens and obligations upon Responding Party beyond those required by the Federal Rules of Civil Procedure.

Responding Party objects to this Instruction to the extent it seeks documents and information that would disclose Responding Party's or a third party's respective trade secrets or other confidential research, development, or confidential information protected by the Uniform Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article One of the Constitution of the State of California, or any other applicable state constitution or law, including any copyright or license, or which is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal or contractual obligations to any other persons or entities. Where it may be appropriate to do so and with adequate protections and limitations, Responding Party expressly reserves the right to provide such information and/or documents only pursuant to the Protective Order in this action.

**SPECIFIC RESPONSES TO INTERROGATORIES**

**INTERROGATORY NO. 1**

State the name, address, and relationship to You of each person who prepared or assisted in the preparation of the responses to these interrogatories. (Do not identify anyone who simply typed or reproduced the responses.)



**RESPONSE TO INTERROGATORY NO. 1**

Responding Party reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above.

Responding Party objects to this interrogatory on the grounds that it seeks information protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Subject to and without waiving the objections stated above, Responding Party identifies the following individual(s) who may be contacted through the undersigned counsel for Responding Party.

Name	Location	Relationship to Hitachi, Ltd.
Tetsuro Yokoo	6-6, Marunouchi 1-chome Chiyoda-ku, Tokyo, Japan	Senior Legal Manager, Business Strategy and Development Department Consumer Business Division Hitachi, Ltd.

**INTERROGATORY NO. 2**

Identify each current and former employee who has or had any managerial responsibility for recommending, reviewing, setting or approving prices, bids, quotes, or rebates for Your CRT and/or CRT Products during the Relevant Time Period. For each person identified, include his or her name, address, title, location, the division or unit of the company where he or she worked, and a description of his or her responsibilities throughout the Relevant Time Period.

**RESPONSE TO INTERROGATORY NO. 2**

Responding Party reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above.

Responding Party objects to this interrogatory on the grounds that it seeks information protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

1 Responding Party objects to this interrogatory on the grounds that it is overly broad,  
2 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
3 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or  
4 documents regarding Responding Party's sales outside of the United States and unrelated to  
5 United States commerce, such sales are beyond the scope of this action.

6 Responding Party objects on the grounds that the phrase "recommending, reviewing,  
7 setting or approving prices, bids, quotes, or rebates for Your CRT and/or CRT Products during  
8 the Relevant Time Period" is overly broad, unduly burdensome, and seeks information that is not  
9 relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of  
10 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does  
11 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims  
12 prior to November 26, 2003, are barred by the statute of limitations.

13 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
14 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this  
15 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
16 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
17 matter involved in this action, and is not reasonably calculated to lead to the discovery of  
18 admissible evidence.

19 Responding Party further objects to this interrogatory on the grounds that it seeks the  
20 discovery of information unrelated to United States commerce and seeks information that is  
21 beyond the scope of the Sherman Antitrust Act, 15 U.S.C. § 1.

22 Responding Party objects to the extent this interrogatory seeks information that is no  
23 longer active or readily accessible in electronic form which renders this interrogatory overly  
24 broad and unduly burdensome.

25 Responding Party objects to the extent this interrogatory seeks information and/or  
26 documents that would disclose proprietary information, trade secrets or other confidential  
27 research, development, or other confidential information protected by the Uniform Trade Secrets  
28 Act, among others, including those of third parties, any and all rights of privacy under the United

1 States Constitution or Article I of the Constitution of the State of California, or any other  
 2 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do  
 3 so would cause Responding Party to violate legal and/or contractual obligations to any other  
 4 persons or entities. Where applicable, Responding Party will only respond subject to the  
 5 provisions of the Protective Order.

6 Responding Party further objects that the terms “managerial responsibility” and  
 7 “reviewing” are vague, ambiguous, and unintelligible.

8 Subject to and without waiving the general and specific objections stated above,  
 9 Responding Party responds that it will identify documents, if any, reflecting non-privileged  
 10 information responsive to this interrogatory within the Limitations Period. Responding Party will  
 11 identify documents responsive to this interrogatory, if any, with the specificity required by law at  
 12 the time they are produced.

### 13 **INTERROGATORY NO. 3**

14 Identify each employee with pricing authority who attended any trade association during  
 15 the Relevant Time Period relating to CRT and/or CRT Products and state with respect to each  
 16 employee:

- 17 (a) the trade association attended;
- 18 (b) the dates of attendance;
- 19 (c) any offices, chairs or committee positions held in each of the trade associations;
- 20 and
- 21 (d) the dates which those offices, chairs or committee positions were held.

### 22 **RESPONSE TO INTERROGATORY NO. 3**

23 Responding Party reasserts and incorporates each of the General Objections and  
 24 Objections to the Definitions and Instructions set forth above.

25 Responding Party objects to this interrogatory on the grounds that it seeks information  
 26 protected by the attorney-client privilege, work product doctrine, joint defense or common  
 27 interest privilege, or by any other applicable doctrine or privilege.

28 Responding Party objects to this interrogatory on the grounds that it is overly broad,

1 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
 2 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or  
 3 documents regarding Responding Party's sales outside of the United States and unrelated to  
 4 United States commerce, such sales are beyond the scope of this action. And, not [every]  
 5 "employee with pricing authority who attended any trade association during the Relevant Time  
 6 Period relating to CRT and/or CRT Products[]" is at issue in this action.

7 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
 8 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of  
 9 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does  
 10 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims  
 11 prior to November 26, 2003, are barred by the statute of limitations.

12 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
 13 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this  
 14 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
 15 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
 16 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
 17 evidence.

18 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of  
 19 information unrelated to United States commerce and seeks information that is beyond the scope  
 20 of the Sherman Antitrust Act, 15 U.S.C. § 1.

21 Responding Party objects to the extent this interrogatory seeks information that is no  
 22 longer active or readily accessible in electronic form which renders this interrogatory overly  
 23 broad and unduly burdensome.

24 Responding Party objects that the terms "pricing authority" and "attended any trade  
 25 association" are vague, ambiguous, and unintelligible, rendering the interrogatory overly broad  
 26 and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of  
 27 admissible evidence.

28 Subject to and without waiving the general and specific objections stated above,

Responding Party responds that it will identify documents, if any, reflecting non-privileged information responsive to this interrogatory within the Limitations Period. Responding Party will identify documents responsive to this interrogatory, if any, with the specificity required by law at the time they are produced.

#### **INTERROGATORY NO. 4**

Identify each actual or proposed agreement between You and any producer of CRT and/or CRT Products, including the named defendants in this coordinated proceeding, relating to prices, pricing, production or inventory levels of CRT and/or CRT Products during the relevant time period. Agreements *[sic]* shall include drafts. For every such actual or proosed *[sic]* agreement state:

- (a) the identity of the participants and all persons with knowledge thereof;
- (b) when such agreement was entered into;
- (c) where such agreement was entered into;
- (d) the terms of such agreement; and
- (e) when, how and which of your officers, directors or employees discovered the existence of such agreement.

#### **RESPONSE TO INTERROGATORY NO. 4**

Responding Party reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above.

Responding Party objects to this interrogatory on the grounds that it seeks information protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. For example, to the extent this interrogatory seeks the discovery of information and/or documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, such sales are beyond the scope of this litigation and thereby render this interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the

1 discovery of admissible evidence.

2 Responding Party objects on the grounds that the term "Relevant Time Period" is overly  
3 broad and not relevant, rendering the interrogatory not reasonably calculated to lead to the  
4 discovery of admissible evidence as the Direct Purchaser Plaintiffs' Consolidated Amended  
5 Complaint does not allege a continuing conspiracy, the end of the class period is November 25,  
6 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

7 Responding Party objects on the ground that subsection 5 ("when, how and which of your  
8 officers, directors or employees discovered the existence of such agreement[]") renders this  
9 request compound in violation of Federal Rule of Civil Procedure 33.

10 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
11 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this  
12 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
13 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
14 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
15 evidence.

16 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of  
17 information unrelated to United States commerce and seeks information that is beyond the scope  
18 of the Sherman Antitrust Act, 15 U.S.C. § 1.

19 Responding Party objects to the extent this interrogatory seeks information that is no  
20 longer active or readily accessible in electronic form which renders this interrogatory overly  
21 broad and unduly burdensome.

22 Responding Party objects to this interrogatory to the extent it seeks information and/or  
23 documents that are not within the possession, custody, or control of Responding Party.

24 Responding Party objects to the extent this interrogatory seeks information and/or  
25 documents that would disclose proprietary information, trade secrets or other confidential  
26 research, development, or other confidential information protected by the Uniform Trade Secrets  
27 Act, among others, including those of third parties, any and all rights of privacy under the United  
28 States Constitution or Article I of the Constitution of the State of California, or any other



1 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do  
 2 so would cause Responding Party to violate legal and/or contractual obligations to any other  
 3 persons or entities. Where applicable, Responding Party will only respond subject to the  
 4 provisions of the Protective Order.

5 Responding Party objects to this interrogatory to the extent it seeks information or  
 6 documents that require discovery of information and materials from third parties or sources that  
 7 are equally if not more accessible to Plaintiffs.

8 Responding Party objects that the terms "actual," "proposed," and "agreements" are  
 9 vague, ambiguous, and unintelligible, rendering this interrogatory overly broad and unduly  
 10 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible  
 11 evidence.

12 Responding Party objects that the term "agreements" calls for a legal conclusion, to the  
 13 extent this interrogatory seeks information related to non-written agreements.

14 Subject to and without waiving the general and specific objections stated above,  
 15 Responding Party responds that it will identify documents, if any, reflecting non-privileged  
 16 information responsive to this interrogatory within the Limitations Period. Responding Party will  
 17 identify documents responsive to this interrogatory, if any, with the specificity required by law at  
 18 the time they are produced.

19 **INTERROGATORY NO. 5**

20 Identify any meeting or communication between You and other producers of CRT and/or  
 21 CRT Products during the Relevant Time Period, including the named Defendants in this coordi-  
 22 nated proceeding, regarding CRT and/or CRT Product pricing, price increase announcements,  
 23 terms or conditions of sales, profit margins or market share, production levels, inventory,  
 24 customers, auctions, reverse auctions, dynamic bidding events, or sales, and for each such  
 25 meeting or communication:

- 26 (a) provide the date and location of the meeting or communication;  
 27 (b) identify the person(s) who initiated, called, organized, attended or participated in  
 28 the meeting or communication;



1 (c) describe the subject matter discussed and any information you provided or  
2 received;

3 (d) describe every action taken by you as a result of the meeting or communication;  
4 and

5 (e) identify all persons with knowledge relating to the meeting or communication.

6 **RESPONSE TO INTERROGATORY NO. 5**

7 Responding Party reasserts and incorporates each of the General Objections and  
8 Objections to the Definitions and Instructions set forth above.

9 Responding Party objects to this interrogatory on the grounds that it seeks information  
10 protected by the attorney-client privilege, work product doctrine, joint defense or common  
11 interest privilege, or by any other applicable doctrine or privilege.

12 Responding Party objects to this interrogatory on the grounds that it is overly broad,  
13 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
14 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or  
15 documents regarding Responding Party's sales outside of the United States and unrelated to  
16 United States commerce, such sales are beyond the scope of this litigation and thereby render the  
17 interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the  
18 discovery of admissible evidence.

19 Responding Party objects to this interrogatory on the ground that subpart d ("describe  
20 every action taken by you as a result of the meeting or communication") renders this request  
21 compound in violation of Federal Rule of Civil Procedure 33.

22 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
23 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of  
24 admissible evidence as the Direct Purchaser Plaintiffs' Consolidated Amended Complaint does  
25 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims  
26 prior to November 26, 2003, are barred by the statute of limitations.

27 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
28 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this

1 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
2 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
3 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
4 evidence.

5 Responding Party further objects to this interrogatory on the grounds that it seeks the  
6 discovery of information unrelated to United States commerce and seeks information that is  
7 beyond the scope of the Sherman Antitrust Act, 15 U.S.C. § 1.

8 Responding Party objects to the extent this interrogatory seeks information that is no  
9 longer active or readily accessible in electronic form which renders this interrogatory overly  
10 broad and unduly burdensome.

11 Responding Party objects to this interrogatory to the extent it seeks information and/or  
12 documents that are not within the possession, custody, or control of Responding Party.

13 Responding Party objects to this interrogatory to the extent it seeks information or  
14 documents that require discovery of information and materials from third parties or sources that  
15 are equally if not more accessible to Plaintiffs.

16 Responding Party objects to the extent this interrogatory seeks information and/or  
17 documents that would disclose proprietary information, trade secrets or other confidential  
18 research, development, or other confidential information protected by the Uniform Trade Secrets  
19 Act, among others, including those of third parties, any and all rights of privacy under the United  
20 States Constitution or Article I of the Constitution of the State of California, or any other  
21 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do  
22 so would cause Responding Party to violate legal and/or contractual obligations to any other  
23 persons or entities. Where applicable, Responding Party will only respond subject to the  
24 provisions of the Protective Order.

25 Responding Party objects that this interrogatory is compound in violation of Federal Rule  
26 of Civil Procedure 33, rendering the interrogatory overly broad and unduly burdensome.

27 Responding Party objects that the phrase "dynamic bidding events" is vague, ambiguous,  
28 and unintelligible, rendering this interrogatory overly broad and unduly burdensome, not relevant

1 and not reasonably calculated to lead to the discovery of admissible evidence.

2 Responding Party objects that the term "agreements" calls for a legal conclusion, to the  
3 extent the interrogatory seeks information related to non-written agreements.

4 Subject to and without waiving the general and specific objections stated above,  
5 Responding Party responds that it will identify documents, if any, reflecting non-privileged  
6 information responsive to this interrogatory within the Limitations Period. Responding Party will  
7 identify documents responsive to this interrogatory, if any, with the specificity required by law at  
8 the time they are produced.

9 **INTERROGATORY NO. 6**

10 Identify each instance during the Relevant Time Period in which You or any other  
11 producer of CRT and/or CRT Products, including the named defendants in this coordinated  
12 proceeding, instituted a price increase or decrease for CRT and/or CRT Products, and for each  
13 such instance:

- 14 (a) when such price increase or decrease was announced publicly;
- 15 (b) when such price increase or decrease was implemented;
- 16 (c) the amount of the price increase or decrease;
- 17 (d) whether such price increase or decrease was withdrawn;
- 18 (e) each person with responsibility for implementing such price increase or decrease  
19 or its withdrawal; and
- 20 (f) any explanation given for such price increase or decrease or withdrawal.

21 **RESPONSE TO INTERROGATORY NO. 6**

22 Responding Party reasserts and incorporates each of the General Objections and  
23 Objections to the Definitions and Instructions set forth above.

24 Responding Party objects to this interrogatory on the grounds that it seeks information  
25 protected by the attorney-client privilege, work product doctrine, joint defense or common  
26 interest privilege, or by any other applicable doctrine or privilege.

27 Responding Party objects to this interrogatory on the grounds that it is overly broad,  
28 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible

1 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or  
2 documents regarding Responding Party's sales outside of the United States and unrelated to  
3 United States commerce, such sales are beyond the scope of this action.

4 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
5 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of  
6 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does  
7 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims  
8 prior to November 26, 2003, are barred by the statute of limitations.

9 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
10 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this  
11 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
12 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
13 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
14 evidence.

15 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of  
16 information unrelated to United States commerce and seeks information that is beyond the scope  
17 of the Sherman Antitrust Act, 15 U.S.C. § 1.

18 Responding Party objects to the extent this interrogatory seeks information that is no  
19 longer active or readily accessible in electronic form which renders this interrogatory overly  
20 broad and unduly burdensome.

21 Responding Party objects to this interrogatory to the extent it seeks information and/or  
22 documents that are not within the possession, custody, or control of Responding Party.

23 Responding Party objects to this interrogatory to the extent it seeks information and/or  
24 documents that require discovery of information and materials from third parties or sources that  
25 are equally if not more accessible to Plaintiffs.

26 Responding Party objects to the extent this interrogatory seeks information and/or  
27 documents that would disclose proprietary information, trade secrets or other confidential  
28 research, development, or other confidential information protected by the Uniform Trade Secrets

1 Act, among others, including those of third parties, any and all rights of privacy under the United  
 2 States Constitution or Article I of the Constitution of the State of California, or any other  
 3 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do  
 4 so would cause Responding Party to violate legal and/or contractual obligations to any other  
 5 persons or entities. Where applicable, Responding Party will only respond subject to the  
 6 provisions of the Protective Order.

7 Subject to and without waiving the general and specific objections stated above,  
 8 Responding Party responds that it will identify documents, if any, reflecting non-privileged  
 9 information responsive to this interrogatory within the Limitations Period. Responding Party will  
 10 identify documents responsive to this interrogatory, if any, with the specificity required by law at  
 11 the time they are produced.

#### 12 **INTERROGATORY NO. 7**

13 Identify and describe all joint ventures, partnerships or other cooperative business  
 14 relationships, during the Relevant Time Period, relating to CRT and/or CRT Products between  
 15 You and any other CRT or CRT Products producer.

#### 16 **RESPONSE TO INTERROGATORY NO. 7**

17 Responding Party reasserts and incorporates each of the General Objections and  
 18 Objections to the Definitions and Instructions set forth above.

19 Responding Party objects to this interrogatory on the grounds that it seeks information  
 20 protected by the attorney-client privilege, work product doctrine, joint defense or common  
 21 interest privilege, or by any other applicable doctrine or privilege.

22 Responding Party objects to this interrogatory on the grounds that it is overly broad,  
 23 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
 24 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or  
 25 documents regarding Responding Party's sales outside of the United States and unrelated to  
 26 United States commerce, such sales are beyond the scope of this litigation and thereby render the  
 27 interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the  
 28 discovery of admissible evidence. And, not "all joint ventures, partnerships or other cooperative

1 business relationships, during the Relevant Time Period, relating to CRT and/or CRT Products  
 2 between [Responding Party] and any other CRT or CRT Products producer[.]” are at issue in this  
 3 action.

4 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad  
 5 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of  
 6 admissible evidence. The Direct Purchaser Plaintiffs’ Consolidated Amended Complaint does  
 7 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims  
 8 prior to November 26, 2003, are barred by the statute of limitations.

9 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
 10 information and/or documents regarding “CRT Products,” as distinguished from “CRTs,” this  
 11 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
 12 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
 13 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
 14 evidence.

15 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of  
 16 information unrelated to United States commerce and seeks information that is beyond the scope  
 17 of the Sherman Antitrust Act, 15 U.S.C. § 1.

18 Responding Party objects to the extent this interrogatory seeks information that is no  
 19 longer active or readily accessible in electronic form which renders this interrogatory overly  
 20 broad and unduly burdensome.

21 Responding Party objects to this interrogatory to the extent it seeks information and/or  
 22 documents that are not within the possession, custody, or control of Responding Party.

23 Responding Party objects to this interrogatory to the extent it seeks information and/or  
 24 documents that require discovery of information and materials from third parties or sources that  
 25 are equally if not more accessible to Plaintiffs.

26 Responding Party objects to the extent this interrogatory seeks information and/or  
 27 documents that would disclose proprietary information, trade secrets or other confidential  
 28 research, development, or other confidential information protected by the Uniform Trade Secrets



1 Act, among others, including those of third parties, any and all rights of privacy under the United  
 2 States Constitution or Article I of the Constitution of the State of California, or any other  
 3 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do  
 4 so would cause Responding Party to violate legal and/or contractual obligations to any other  
 5 persons or entities. Where applicable, Responding Party will only respond subject to the  
 6 provisions of the Protective Order.

7 Responding Party objects that the phrases "partnership" and "cooperative business  
 8 relationships" are vague, ambiguous, and unintelligible, rendering this interrogatory overly broad  
 9 and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of  
 10 admissible evidence.

11 Subject to and without waiving the general and specific objections stated above,  
 12 Responding Party responds that it will identify documents, if any, reflecting non-privileged  
 13 information responsive to this interrogatory within the Limitations Period. Responding Party will  
 14 identify documents responsive to this interrogatory, if any, with the specificity required by law at  
 15 the time they are produced.

#### 16 **INTERROGATORY NO. 8**

17 Identify every channel used by You to sell, market, or distribute CRT and/or CRT  
 18 Products during the Relevant Time Period. If You used different channels at different points  
 19 within the Relevant Time Period, identify when You used each channel to sell, market, or  
 20 distribute CRT and/or CRT Products.

#### 21 **RESPONSE TO INTERROGATORY NO. 8**

22 Responding Party reasserts and incorporates each of the General Objections and  
 23 Objections to the Definitions and Instructions set forth above.

24 Responding Party objects to this interrogatory on the grounds that it seeks information  
 25 protected by the attorney-client privilege, work product doctrine, joint defense or common  
 26 interest privilege, or by any other applicable doctrine or privilege.

27 Responding Party objects to this interrogatory on the grounds that it is overly broad,  
 28 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible



1 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or  
 2 documents regarding Responding Party's sales outside of the United States and unrelated to  
 3 United States commerce, such sales are beyond the scope of this litigation and thereby render the  
 4 interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the  
 5 discovery of admissible evidence. And, not "every channel used by [Responding Party] to sell,  
 6 market, or distribute CRT and/or CRT Products during the Relevant Time Period[]" is at issue in  
 7 this action.

8 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
 9 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of  
 10 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does  
 11 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims  
 12 prior to November 26, 2003, are barred by the statute of limitations.

13 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
 14 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this  
 15 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
 16 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
 17 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
 18 evidence.

19 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of  
 20 information unrelated to United States commerce and seeks information that is beyond the scope  
 21 of the Sherman Antitrust Act, 15 U.S.C. § 1.

22 Responding Party objects to the extent this interrogatory seeks information that is no  
 23 longer active or readily accessible in electronic form which renders this interrogatory overly  
 24 broad and unduly burdensome.

25 Responding Party objects that the term "channel" is vague, ambiguous, and unintelligible,  
 26 rendering this interrogatory overly broad and unduly burdensome, not relevant and not reasonably  
 27 calculated to lead to the discovery of admissible evidence.

28 Responding Party objects to the extent this interrogatory seeks information and/or

documents that would disclose proprietary information, trade secrets or other confidential research, development, or other confidential information protected by the Uniform Trade Secrets Act, among others, including those of third parties, any and all rights of privacy under the United States Constitution or Article I of the Constitution of the State of California, or any other applicable law or state constitution, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities. Where applicable, Responding Party will only respond subject to the provisions of the Protective Order.

Subject to and without waiving the general and specific objections stated above, Responding Party responds that it will identify documents, if any, reflecting non-privileged information responsive to this interrogatory within the Limitations Period. Responding Party will identify documents responsive to this interrogatory, if any, with the specificity required by law at the time they are produced.

#### **INTERROGATORY NO. 9**

Identify every channel used by you to purchase CRT and/or CRT Products during the Relevant Time Period. If You used different channels at different points within the Relevant Time Period, identify when You used each channel to purchase CRT or CRT Products.

#### **RESPONSE TO INTERROGATORY NO. 9**

Responding Party reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above.

Responding Party objects to this interrogatory on the grounds that it seeks information protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of information and/or documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the interrogatory overly

1 broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
2 evidence.

3 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
4 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of  
5 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does not  
6 allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior  
7 to November 26, 2003, are barred by the statute of limitations.

8 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
9 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this  
10 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
11 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
12 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
13 evidence.

14 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of  
15 information unrelated to United States commerce and seeks information that is beyond the scope  
16 of the Sherman Antitrust Act, 15 U.S.C. § 1.

17 Responding Party objects to the extent this interrogatory seeks information that is no  
18 longer active or readily accessible in electronic form which renders this interrogatory overly  
19 broad and unduly burdensome.

20 Responding Party objects that the term "channel" is vague, ambiguous, and unintelligible,  
21 rendering this interrogatory overly broad and unduly burdensome, not relevant and not reasonably  
22 calculated to lead to the discovery of admissible evidence.

23 Responding Party objects to the extent this interrogatory seeks information and/or  
24 documents that would disclose proprietary information, trade secrets or other confidential  
25 research, development, or other confidential information protected by the Uniform Trade Secrets  
26 Act, among others, including those of third parties, any and all rights of privacy under the United  
27 States Constitution or Article I of the Constitution of the State of California, or any other  
28 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do

so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities. Where applicable, Responding Party will only respond subject to the provisions of the Protective Order.

Subject to and without waiving the general and specific objections stated above, Responding Party responds that it will identify documents, if any, reflecting non-privileged information responsive to this interrogatory within the Limitations Period. Responding Party will identify documents responsive to this interrogatory, if any, with the specificity required by law at the time they are produced.

#### **INTERROGATORY NO. 10**

Identify the CRT and/or CRT Products that You manufactured or produced for each month within the Relevant Time Period, including the brand name, product number, and intended use.

#### **RESPONSE TO INTERROGATORY NO. 10**

Responding Party reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above.

Responding Party objects to this interrogatory on the grounds that it seeks information protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. For example, to the extent this interrogatory seeks the discovery of information and/or documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, such sales are beyond the scope of this litigation and thereby render the interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does

1 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims  
2 prior to November 26, 2003, are barred by the statute of limitations.

3 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
4 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this  
5 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
6 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
7 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
8 evidence.

9 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of  
10 information unrelated to United States commerce and seeks information that is beyond the scope  
11 of the Sherman Antitrust Act, 15 U.S.C. § 1.

12 Responding Party objects to the extent this interrogatory seeks information that is no  
13 longer active or readily accessible in electronic form which renders this interrogatory overly  
14 broad and unduly burdensome.

15 Subject to and without waiving the general and specific objections stated above,  
16 Responding Party responds that it will identify documents, if any, reflecting non-privileged  
17 information responsive to this interrogatory within the Limitations Period. Responding Party will  
18 identify documents responsive to this interrogatory, if any, with the specificity required by law at  
19 the time they are produced.

20 **INTERROGATORY NO. 11**

21 Identify the CRT and/or CRT Products You sold, marketed, or distributed for each month  
22 within the Relevant Time Period, including the brand name, product number, and intended use.

23 **RESPONSE TO INTERROGATORY NO. 11**

24 Responding Party reasserts and incorporates each of the General Objections and  
25 Objections to the Definitions and Instructions set forth above.

26 Responding Party objects to this interrogatory on the grounds that it seeks information  
27 protected by the attorney-client privilege, work product doctrine, joint defense or common  
28 interest privilege, or by any other applicable doctrine or privilege.

1 Responding Party objects to this interrogatory on the grounds that it is overly broad,  
2 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
3 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or  
4 documents regarding Responding Party's sales outside of the United States and unrelated to  
5 United States commerce, such sales are beyond the scope of this litigation and thereby render the  
6 interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the  
7 discovery of admissible evidence.

8 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
9 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of  
10 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does  
11 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims  
12 prior to November 26, 2003, are barred by the statute of limitations.

13 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
14 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this  
15 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
16 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
17 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
18 evidence.

19 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of  
20 information unrelated to United States commerce and seeks information that is beyond the scope  
21 of the Sherman Antitrust Act, 15 U.S.C. § 1.

22 Responding Party objects to the extent this interrogatory seeks information that is no  
23 longer active or readily accessible in electronic form which renders this interrogatory overly  
24 broad and unduly burdensome.

25 Subject to and without waiving the general and specific objections stated above,  
26 Responding Party responds that it will identify documents, if any, reflecting non-privileged  
27 information responsive to this interrogatory within the Limitations Period. Responding Party will  
28 identify documents responsive to this interrogatory, if any, with the specificity required by law at



the time they are produced.

**INTERROGATORY NO. 12**

Provide Your sales of CRT and/or CRT Products to the United States and globally for each month from January 1, 1991 to the present. For each month during this period, state the volume of sales, the U.S. dollar value of sales, the unit sale price, the per unit cost to produce CRT and/or CRT Products, the per unit cost to distribute CRT and/or CRT Products (including overseas freight, tariff, customs, duties, inland freight, storage, insurance, dealer commissions), and the per unit profit earned.

**RESPONSE TO INTERROGATORY NO. 12**

Responding Party reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above.

Responding Party objects to this interrogatory on the grounds that it seeks information protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. For example, this interrogatory seeks the discovery of information and/or documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce; such sales are beyond the scope of this litigation and thereby render the interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

Responding Party objects to this interrogatory on the grounds that, to the extent it seeks information and/or documents regarding "CRT Products," as distinguished from "CRTs," this



1 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
 2 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
 3 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
 4 evidence.

5 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of  
 6 information unrelated to United States commerce and seeks information that is beyond the scope  
 7 of the Sherman Antitrust Act, 15 U.S.C. § 1.

8 Responding Party objects to the extent this interrogatory seeks information that is no  
 9 longer active or readily accessible in electronic form which renders this interrogatory overly  
 10 broad and unduly burdensome.

11 Responding Party objects to the extent this interrogatory seeks information and/or  
 12 documents that would disclose proprietary information, trade secrets or other confidential  
 13 research, development, or other confidential information protected by the Uniform Trade Secrets  
 14 Act, among others, including those of third parties, any and all rights of privacy under the United  
 15 States Constitution or Article I of the Constitution of the State of California, or any other  
 16 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do  
 17 so would cause Responding Party to violate legal and/or contractual obligations to any other  
 18 persons or entities. Where applicable, Responding Party will only respond subject to the  
 19 provisions of the Protective Order.

20 Subject to and without waiving the general and specific objections stated above,  
 21 Responding Party responds that it will identify documents, if any, reflecting non-privileged  
 22 information responsive to this interrogatory within the Limitations Period. Responding Party will  
 23 identify documents responsive to this interrogatory, if any, with the specificity required by law at  
 24 the time they are produced.

### 25 **INTERROGATORY NO. 13**

26 If You offered different prices to different markets, or on a spot market versus contract  
 27 basis, during the Relevant Time Period, so indicate in the statistical data supplied in response to  
 28 Interrogatory No. 6.

**RESPONSE TO INTERROGATORY NO. 13**

Responding Party reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above.

Responding Party objects to this interrogatory on the grounds that it seeks information protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. For example, to the extent this interrogatory seeks the discovery of information and/or documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, such sales are beyond the scope of this action.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

Responding Party objects to this interrogatory on the grounds that, to the extent it seeks information and/or documents regarding "CRT Products," as distinguished from "CRTs," this interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this interrogatory on the grounds that it seeks the discovery of information unrelated to United States commerce and seeks information that is beyond the scope of the Sherman Antitrust Act, 15 U.S.C. § 1.

Responding Party objects to the extent this interrogatory seeks information that is no longer active or readily accessible in electronic form which renders this interrogatory overly broad and unduly burdensome.

Responding Party objects to the extent this interrogatory seeks information and/or documents that would disclose proprietary information, trade secrets or other confidential research, development, or other confidential information protected by the Uniform Trade Secrets Act, among others, including those of third parties, any and all rights of privacy under the United States Constitution or Article I of the Constitution of the State of California, or any other applicable law or state constitution, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities. Where applicable, Responding Party will only respond subject to the provisions of the Protective Order.

Subject to and without waiving the general and specific objections stated above, Responding Party responds that it will identify documents, if any, reflecting non-privileged information responsive to this interrogatory within the Limitations Period. Responding Party will identify documents responsive to this interrogatory, if any, with the specificity required by law at the time they are produced.

#### **INTERROGATORY NO. 14**

Provide Your aggregate purchases (in both number of units and revenue in U.S. dollars) of CRT and/or CRT Products for each month from January 1, 1991 to the present.

#### **RESPONSE TO INTERROGATORY NO. 14**

Responding Party reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above.

Responding Party objects to this interrogatory on the grounds that it seeks information protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. For example, to the extent this interrogatory seeks the discovery of information and/or documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, such sales are beyond the scope of this action. And, Responding Party's

1 aggregate purchases (in both number of units and revenue in U.S. dollars) of CRT and/or CRT  
2 Products for each month from January 1, 1991 to the present are not at issue in this action.

3 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
4 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of  
5 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does  
6 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims  
7 prior to November 26, 2003, are barred by the statute of limitations.

8 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
9 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this  
10 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
11 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
12 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
13 evidence.

14 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of  
15 information unrelated to United States commerce and seeks information that is beyond the scope  
16 of the Sherman Antitrust Act, 15 U.S.C. § 1.

17 Responding Party objects to the extent this interrogatory seeks information that is no  
18 longer active or readily accessible in electronic form which renders this interrogatory overly  
19 broad and unduly burdensome.

20 Responding Party objects that the terms "spot market," and "statistical data" are vague,  
21 ambiguous, and unintelligible, rendering this interrogatory overly broad and unduly burdensome,  
22 not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

23 Responding Party objects to the extent this interrogatory seeks information and/or  
24 documents that would disclose proprietary information, trade secrets or other confidential  
25 research, development, or other confidential information protected by the Uniform Trade Secrets  
26 Act, among others, including those of third parties, any and all rights of privacy under the United  
27 States Constitution or Article I of the Constitution of the State of California, or any other  
28 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do

1 so would cause Responding Party to violate legal and/or contractual obligations to any other  
 2 persons or entities. Where applicable, Responding Party will only respond subject to the  
 3 provisions of the Protective Order.

4 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
 5 documents related to "purchases," it seeks information not related to the allegations in the  
 6 Complaint, the request is overly broad and unduly burdensome, and purports to call for  
 7 information that is not relevant to the claim or defense of any party, not relevant to the subject  
 8 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
 9 evidence.

10 Subject to and without waiving the general and specific objections stated above,  
 11 Responding Party responds that it will identify documents, if any, reflecting non-privileged  
 12 information responsive to this interrogatory within the Limitations Period. Responding Party will  
 13 identify documents responsive to this interrogatory, if any, with the specificity required by law at  
 14 the time they are produced.

15 **INTERROGATORY NO. 15**

16 Provide Your aggregate purchases (in units and U.S. dollars) of CRT or CRT Products  
 17 from each of the other named defendants in this coordinated proceeding, for the purpose of resale,  
 18 for each month during from January 1, 1991 to the present.

19 **RESPONSE TO INTERROGATORY NO. 15**

20 Responding Party reasserts and incorporates each of the General Objections and  
 21 Objections to the Definitions and Instructions set forth above.

22 Responding Party objects to this interrogatory on the grounds that it seeks information  
 23 protected by the attorney-client privilege, work product doctrine, joint defense or common  
 24 interest privilege, or by any other applicable doctrine or privilege.

25 Responding Party objects to this interrogatory on the grounds that it is overly broad,  
 26 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
 27 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or  
 28 documents regarding Responding Party's sales outside of the United States and unrelated to

1 United States commerce, as such sales are beyond the scope of this litigation and thereby render  
 2 the interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the  
 3 discovery of admissible evidence. And, Responding Party's "aggregate purchases (in units and  
 4 U.S. dollars) of CRT or CRT Products from each of the other named defendants in this  
 5 coordinated proceeding, for the purpose of resale, for each month during from January 1, 1991 to  
 6 the present[]" are not at issue in this action.

7 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
 8 and not relevant, rendering the interrogatory not reasonably calculated to lead to the discovery of  
 9 admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended Complaint does  
 10 not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims  
 11 prior to November 26, 2003, are barred by the statute of limitations.

12 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
 13 information and/or documents regarding "CRT Products," as distinguished from "CRTs," this  
 14 interrogatory is vague and ambiguous, overly broad and unduly burdensome, and purports to call  
 15 for information that is not relevant to the claim or defense of any party, not relevant to the subject  
 16 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
 17 evidence.

18 Responding Party objects to this interrogatory on the grounds that it seeks the discovery of  
 19 information unrelated to United States commerce and seeks information that is beyond the scope  
 20 of the Sherman Antitrust Act, 15 U.S.C. § 1.

21 Responding Party objects to the extent this interrogatory seeks information that is no  
 22 longer active or readily accessible in electronic form which renders this interrogatory overly  
 23 broad and unduly burdensome.

24 Responding Party objects to this interrogatory on the grounds that, to the extent the  
 25 interrogatory seeks information and/or documents not related to the allegations in the Direct  
 26 Purchaser Plaintiffs' Consolidated Amended Complaint, this interrogatory is overly broad and  
 27 unduly burdensome, and purports to call for information that is not relevant to the claim or  
 28 defense of any party, not relevant to the subject matter involved in this action, and not reasonably



1 calculated to lead to the discovery of admissible evidence.

2 Responding Party objects to this interrogatory to the extent it seeks information and/or  
3 documents that are not within the possession, custody, or control of Responding Party.

4 Responding Party objects to this interrogatory to the extent it seeks information and/or  
5 documents that require discovery of information and materials from third parties or sources that  
6 are equally if not more accessible to Plaintiffs.

7 Responding Party objects that the term "aggregate" is vague, ambiguous, and  
8 unintelligible, rendering this interrogatory overly broad and unduly burdensome, not relevant and  
9 not reasonably calculated to lead to the discovery of admissible evidence.

10 Responding Party objects to the extent this interrogatory seeks information and/or  
11 documents that would disclose proprietary information, trade secrets or other confidential  
12 research, development, or other confidential information protected by the Uniform Trade Secrets  
13 Act, among others, including those of third parties, any and all rights of privacy under the United  
14 States Constitution or Article I of the Constitution of the State of California, or any other  
15 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do  
16 so would cause Responding Party to violate legal and/or contractual obligations to any other  
17 persons or entities. Where applicable, Responding Party will only respond subject to the  
18 provisions of the Protective Order.

19 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
20 documents related to "purchases," it seeks information not related to the allegations in the  
21 Complaint, the request is overly broad and unduly burdensome, and purports to call for  
22 information that is not relevant to the claim or defense of any party, not relevant to the subject  
23 matter involved in this action, and not reasonably calculated to lead to the discovery of admissible  
24 evidence.

25 Subject to and without waiving the general and specific objections stated above,  
26 Responding Party responds that it will identify documents, if any, reflecting non-privileged  
27 information responsive to this interrogatory within the Limitations Period. Responding Party will  
28 identify documents responsive to this interrogatory, if any, with the specificity required by law at

1 the time they are produced.

2 **INTERROGATORY NO. 16**

3 State whether any documents or information responsive to this set of interrogatories were  
4 destroyed, discarded, erased, deleted, purged, or otherwise lost. If Your answer is in any way in  
5 the affirmative:

6 (a) describe in detail the contents of each such document or information and the date it  
7 was destroyed, discarded, erased, deleted, purged or lost;

8 (b) identify each person who had any role or responsibility in destroying, discarding,  
9 erasing, purging, deleting or losing of each such document or information; and

10 (c) describe in detail the circumstances under which each such document or  
11 information was destroyed, discarded, erased, deleted, purged, or lost.

12 **RESPONSE TO INTERROGATORY NO. 16**

13 Responding Party reasserts and incorporates each of the General Objections and  
14 Objections to the Definitions and Instructions set forth above.

15 Responding Party objects to this interrogatory to the extent that it is harassing, invasive, or  
16 seeks personal confidential information, the disclosure of which is prohibited by a law,  
17 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
18 information is located.

19 Responding Party objects to this interrogatory on the grounds that it seeks information  
20 protected by the attorney-client privilege, work product doctrine, joint defense or common  
21 interest privilege, or by any other applicable doctrine or privilege.

22 Responding Party objects to this interrogatory on the grounds that it is overly broad,  
23 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
24 evidence. For example, to the extent this interrogatory seeks the discovery of information and/or  
25 documents regarding Responding Party's sales outside of the United States and unrelated to  
26 United States commerce, such sales are beyond the scope of this litigation and thereby render the  
27 interrogatory overly broad, unduly burdensome, and not reasonably calculated to lead to the  
28 discovery of admissible evidence.

1 Responding Party objects on the grounds that the term "Relevant Time Period" is overly  
 2 broad and not relevant, rendering the interrogatory not reasonably calculated to lead to the  
 3 discovery of admissible evidence. The Direct Purchaser Plaintiffs' Consolidated Amended  
 4 Complaint does not allege a continuing conspiracy, the end of the class period is November 25,  
 5 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

6 Responding Party objects to this interrogatory on the grounds that, to the extent it seeks  
 7 information and/or documents not related to the allegations in the Direct Purchaser Plaintiffs'  
 8 Consolidated Amended Complaint, this interrogatory is overly broad and unduly burdensome,  
 9 and purports to call for information that is not relevant to the claim or defense of any party, not  
 10 relevant to the subject matter involved in this action, and not reasonably calculated to lead to the  
 11 discovery of admissible evidence.

12 Subject to and without waiving the objections stated above, Responding Party responds  
 13 that since this case was filed, Responding Party took appropriate steps to preserve responsive  
 14 documents.

15  
 16 Dated: May 12, 2010

MORGAN, LEWIS & BOCKIUS LLP

17  
 18 By   
 19 Diane L. Webb  
 20 Attorneys for Hitachi, Ltd.

I, Tetsuro Yokoo , declare and state:

I have read the foregoing Responses and know its contents. I am Senior Legal Manager, Business Strategy & Development Dept., Consumer Business Division of Hitachi, Ltd. I am authorized to make this verification on behalf of Hitachi, Ltd. These responses are limited by the records and information in existence, presently recollected and thus far discovered in the course of preparation of these Responses. Based thereon, I am informed and believe that the matters stated in these Responses are true and on that ground certify or declare under penalty of perjury under the laws of the United States of America that the same are true and correct.

Executed on this 12 day of May, 2010, at Tokyo, Japan.

Tetson, Geo